

## Andrew Jackson to Robert Love, December 10, 1831, from Correspondence of Andrew Jackson. Edited by John Spencer Bassett.

### TO COLONEL ROBERT LOVE.<sup>1</sup>

<sup>1</sup> Draft. Handwriting of A. J. Donelson, except the final paragraph, written by Jackson. This letter offers the opportunity of seeing how most of Jackson's letters were prepared. By referring to Colonel Love's letter, Nov. 17, 1831, *ante*, the reader will see Jackson's endorsement, containing the substance of his reply. The matter then went into A. J. Donelson's hands, who enlarged the endorsement into the draft of a letter, which was again copied after Jackson had approved, or revised it. The draft was usually retained for his files and the final copy despatched to its intended destination.

Washington, December 10, 1831.

*My Dear Sir,* Your kind letter of the 17th ultimo has been recd. some days, but the pressure of business incident to the meeting of a new Congress has not allowed me an opportunity to reply to it earlier than the present.

Had I the power to grant the privilege which you have asked for, there is no individual for whose benefit I would exercise it more freely than yours. According to my understanding of the nature of the possessory rights which the Indians, within the limits of Georgia, enjoy, they do not include the right of working the mines with which their lands may abound: in as much as this right has ever been considered as following the domain, from which it cannot be separated but by positive grant. Georgia by the extension of her laws over these lands, having never considered her fee simple in them as in the slightest degree interrupted by the possession of the Indians, must exercise the same controul over the mines and

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minerals within her limits, that the United States would be entitled to exercise over such as might be found in any of the Territories. In this respect Georgia is not in the same situation with Alabama and some of the other states who have derived their titles from the United States, who still retain the fee simple of the lands yet unsold, and who of course could work the mines as the proprietor of lands in No. Carolina and elsewhere now do.

From these hints you will perceive that I regard Georgia alone as competent to grant the privilege of digging the gold mines in the lands of the Indians lying within her limits: and that the President of the United States has nothing to do with the subject.

[ *In Jackson's hand:* ] I take this occasion to inclose my message with the documents accompanying it, made to the present congress, which I hope you will accept as a token of my friendship and regard and believe me yr friend